

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name, that I believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention or design entitled

**METHODS AND MIXTURES FOR TREATING DISTRESSED TREES**

filed herewith; specification of which that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above; and that I acknowledge my duty to disclose information known to be material to the patentability of a pending claim in this application in accordance with 37 C.F.R. 1.56(a).

I hereby claim the benefit under Title 35 United States Code § 120 of any United States application(s) listed below and, insofar as any subject matter of any claim of this application is not disclosed in the prior United States Application, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application: N/A

Serial No.	Filing Date

I hereby appoint:

Kelly K. Kordzik  
James J. Murphy  
Barry Newberger  
Ehrlich, Henry L.  
Garsson, Ross S.  
Mason, Dwayne  
Rogers, Charles J.  
Shaddox, Robert C.

Reg. No. 36,571  
Reg. No. 34,503  
Reg. No. 41,527  
Reg. No. 39,663  
Reg. No. 38,150  
Reg. No. 38,959  
Reg. No. 38,286  
Reg. No. 34,011

Express Mail Receipt #  
EL 859 422 853 US

of the firm of Winstead Sechrest & Minick P.C., my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, and to file and prosecute any international patent applications filed thereon before any international authorities under the Patent Cooperation Treaty.

Send Correspondence To:  
Winstead Sechrest & Minick P.C.  
5400 Renaissance Tower  
1201 Elm Street  
Dallas, Texas 75270

Direct Telephone Calls To  
James J. Murphy  
at (214) 745-5374  
Atty. Docket No.  
22601- P002US

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

**Full name of the first inventor**

Don Wiley Smith

Inventor's signature



Date

9-12-2000

Residence (City, County, State)

Denton, Denton County, Texas

Citizenship

United States of America


Post Office Address

2107 Emerson Lane 76201

**Full name of the second inventor**

Peter Martin

Inventor's signature



Date

9/12/2000

Residence (City, County, State)

Denton, Denton County, Texas

Citizenship

United States of America

Post Office Address

413 Meng Circle 76201